Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Goshen County, North Platte River Groundwater Quality Project Watershed, Goshen, WY

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality regulations (40 CFR part 1500); and the Natural Resources Conservation Service Regulations (7 CFR part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Goshen County, North Platte River Groundwater Quality Project Watershed, Goshen County, Wyoming.

FOR FURTHER INFORMATION CONTACT: Lincoln E. Burton, State Conservationist, Natural Resources Conservation Service, Room 3124, Federal Building, 100 East B Street, Casper, Wyoming 82601, telephone (307) 261–5201.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Lincoln E. Burton, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project purpose is watershed protection—the on-site treatment of agricultural related pollutants for off-site benefits. The planned works of improvement include accelerated technical assistance for land treatment, accelerated financial assistance to treat 5,800 acres to reduce the amount of nitrogen available to be leached to the groundwater, and eight animal waste management facilities.

The Notice of a Finding Of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency (EPA) and to various federal, state, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Lincoln E. Burton.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(This activity is listed in the Catalog of Federal Domestic Assistance under NO. 10.904, Watershed Protection and Flood Prevention, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with state and local officials.)

Lincoln E. Burton,

State Conservationist.

[FR Doc. 95–18223 Filed 7–24–95; 8:45 am]

BILLING CODE 3410–16–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–602]

Brass Sheet and Strip From Germany; Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On January 17, 1995, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on brass sheet and strip from Germany. The review covers exports of this merchandise to the United States by one manufacturer/exporter, Wieland-Werke AG (Wieland), during the period March 1, 1993 through February 28, 1994.

The review indicates the existence of *de minimis* dumping margins for this period.

We gave interested parties an opportunity to comment on our preliminary results. Based on our analysis of the comments received, we have adjusted Wieland's margin for these final results.

EFFECTIVE DATE: July 25, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas Killiam, Chip Hayes, or John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION:

Background

On January 17, 1995, the Department published in the **Federal Register** (60 FR 3392) the preliminary results of its 1993–94 administrative review of the antidumping duty order on brass sheet and strip from Germany (52 FR 6997, March 6, 1987).

Applicable Statute and Regulations

The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

Scope of the Review

Imports covered by this review are sales or entries of brass sheet and strip, other than leaded and tinned brass sheet and strip. The chemical composition of the products under review is currently defined in the Copper Development Association (C.D.A.) 200 Series or the Unified Numbering System (U.N.S.) C20000 series. This review does not cover products the chemical compositions of which are defined by other C.D.A. or U.N.S. series. The merchandise is currently classified under Harmonized Tariff Schedule (HTS) item numbers 7409.21.00 and 7409.29.20. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review period is March 1, 1993 through February 28, 1994. The review involves one manufacturer/ exporter, Wieland.

Analysis of Comments Received

We received case and rebuttal briefs from Wieland and from the petitioners, Hussey Copper, Ltd., The Miller Company, Outokumpu American Brass, Revere Copper Products, Inc., International Association of Machinists and Aerospace Workers, International Union, Allied Industrial Workers of America (AFL-CIO), Mechanics Educational Society of America (Local 56), and the United Steelworkers of America.

Model-matching Methodology

Comment 1: Wieland disputes the Department's use of specific alloy grades in matching U.S. to home market sales. Wieland would have the Department use only two classes of alloys, above or below 75 percent copper content, instead of using exact alloy grades. The respondent states that the exact-alloy comparison method which we used in the preliminary results is a change from the method used in the prior review.

The respondent further alleges that the Department used the exact-alloy method in order to conform the model-matching criteria with other orders, and that in so doing the Department ignored record evidence demonstrating that Wieland's U.S. sales cannot be ''appropriately matched'' to home market sales of identical alloys. Wieland claims that ''using alloy groups . . . provides the most practical means of achieving reasonable comparisons''.

Wieland claims that our approach is contrary to Department practice in other cases involving brass sheet and strip, because the Department failed, in this review, to determine the appropriate matching criteria on the basis of the specific nature of Wieland's sales. The respondent alleges that by relying on specific alloy grades rather than using Wieland's two alloy groups, the Department ''fails to take account of the nature of Wieland's sales''. Wieland does not make clear how our approach neglects to take account of the nature of its sales, but implies that its sales are made more often on the basis of whether products are above or below 75 percent in copper content than on the basis of exact alloys.

The respondent also asserts that, since certain other model-matching criteria, namely gauge and width, are grouped by classes, alloys should also be grouped.

The petitioners note in rebuttal that there is no industry standard to distinguish alloys for high copper content (*i.e.*, greater than 75 percent), that customers specify exact alloys in placing their orders, that in all other antidumping proceedings involving brass sheet and strip the Department has always made exact-alloy matches, and that Wieland's alloy groupings disregard the Department's conclusion in an earlier review that it should abandon the grouping methodology and instead make matches on an exact-alloy basis. The petitioners further assert that Wieland failed to establish that its home market sales, when matched to U.S. sales on the basis of exact alloys, ought not to be taken as representative of home market prices.

Department's Position: We disagree with the respondent. We did not employ the alloy-specific approach merely to conform to approaches used in reviews of other brass sheet and strip orders, but in order to follow section 771(16)(B) of the Act, which requires us to compare U.S. sales to home market merchandise which is identical or, when not identical, is ''like that (U.S.) merchandise in component material or materials and in the purposes for which used,'' prior to resorting, if necessary, to less similar merchandise as described in 771(16)(C)(i)–(iii).

Wieland does not identify which U.S. sales, if any, are not ''appropriately'' matched to home market merchandise by our method, or otherwise explain how its less specific standard would be more appropriate. Nor does Wieland explain how its grouped alloy approach would be ''the most practical means of achieving reasonable comparisons'', other than by arguing that it would make the number of home market sales used in sales comparisons ''sufficient''.

Regarding Wieland's claim that matching by alloy groups would more appropriately reflect the nature of Wieland's sales, nothing in the record supports this claim. On the contrary, according to Wieland, its customers generally specify exact alloys in their orders. While its customers may sometimes choose the lowest-cost combination of metals within a narrow range, no information on the record suggests that Wieland's customers use the standard of 75 percent copper content in ordering merchandise.

In arguing that grouping alloys would be appropriate because grouping is used for gauge and width ranges, Wieland glosses over the distinction between the gauge and width measures on the one hand, and alloy grades on the other. Gauge and width are both infinitely variable and therefore must be divided into tiers to permit any comparisons. Alloy grades, by contrast, are discretely defined proportions of metals. Matching by specific alloys provides more precision than merely differentiating between merchandise which contains above or below 75 percent copper.

The respondent's grouped-alloy approach would assign all home market merchandise to one of two groupings, would compare each U.S. sale to home market merchandise containing up to seven different alloys, and would not necessarily result in comparisons of U.S. sales to home market merchandise made of only the identical alloy, or of only the single most similar alloy. The respondent's suggested groupings could result in understated or overstated dumping margins, due to the mix of home market models which would form the basis of foreign market value (FMV). Matching by specific alloys, on the other hand, ensures that we use the most similar merchandise possible to establish FMV in our dumping calculations. Therefore, the Department has continued to use the alloy-specific matching method.

Comment 2: The respondent complains that the Department's change in model-matching methodology reduces the dumping analysis to ''little more than a game of chance,'' since, according to Wieland, the margin depends far more on the chance occurrence that a home market customer will place an order for an alloy identical to one sold in the United States than on Wieland's general pricing policies for its U.S. and home market sales. Where a single home market sale serves as the basis for comparison, Wieland argues, the results of the U.S./home market price comparison will depend completely on the date on which that home market sale was made, or, more particularly, on the metal pricing date for the metal component of the home market sale. Thus, Wieland argues, differences between U.S. and home market prices are caused by volatility in the market prices for copper, zinc, and tin, rather than by Wieland's brass sheet and strip pricing strategies. Wieland suggests that as an alternative the Department should use alloy groups for model-matching purposes. Wieland points out that differences in alloy costs could then be adjusted for with a sale-specific metal adjustment.

Department's Position: We disagree with the respondent. Wieland's ''game of chance'' complaint is not supported by the facts of the case or the methodology we used. This complaint hinges on Wieland's implicit suggestion that individual home market sales, or pairs of sales, somehow may not conform to its pricing policies. Wieland offers no evidence on the record that

any home market sale prices should be excluded as unrepresentative. Wieland has not argued or demonstrated that some of its home market sales are outside the ordinary course of trade or are, for some other reason, inappropriate as the basis of FMV.

While Wieland has alleged that there is a danger that price differences for identical merchandise comparisons might result from changes in commodity prices of components, it has not demonstrated that such price fluctuations should affect the model-match methodology.

In the statutory definition of such or similar merchandise (section 771(16) of the Act) there is a clear preference for matching U.S. sales to home market merchandise which is composed of the same materials, before resorting to comparisons to less similar merchandise. Our approach reflects this preference; the respondent's approach would ignore it. We are not permitted to ignore contemporaneous sales of identical merchandise. Wieland's suggested approach simply does not conform to the requirements of the antidumping law and regulations.

The risk of price differences caused by changes in the prices of commodities used as components is not unique to this proceeding but is inherent in price comparisons in many industries. That risk has not heretofore served as justification for omitting comparisons of U.S. sales to contemporaneous home market sales of identical or most similar merchandise. Yet the respondent's approach would make comparisons to identical or most similar merchandise impossible, by defining models so broadly that all comparisons would potentially include similar merchandise as well as identical merchandise (and would thus be subject to adjustments for differences in alloy values under 19 CFR 353.57(b)). But this grouped-alloy approach would not be warranted by the regulations cited above or by the facts of this review; using exact alloy comparisons, we were able to match a substantial portion of U.S. sales to home market merchandise of identical alloys, and all the remaining U.S. sales with home market merchandise containing one of the three most similar alloys.

Comment 3: Wieland states that the Court of International Trade (CIT), addressing the model-matching issue in remanding the final results in the first administrative review, did not require the Department to abandon the use of two alloy groups, but merely asked the Department to articulate the reasons why it did not use the exact-alloy method. *See Hussey Copper Ltd.*, v. *United States*, 834 F. Supp. 413 (CIT 1993).

Department's Position: As explained in our response to Comment 2 above, the Department has concluded that the exact-alloy matching methodology more closely follows the statute, which requires us to make comparisons of identical merchandise, when this is possible, before making comparisons with similar merchandise.

Comment 4: The petitioners request that the Department alter the hierarchy of traits used in matching U.S. sales to home market sales. In particular, the petitioners ask the Department to place alloy in the third position, instead of the fifth position. According to the petitioners, alloy was placed in the third position in certain other brass sheet and strip cases, and alloy specifications are more important to customers than gauge and width differences.

Department's Position: The petitioners argue that the model-match methodology used in this review is a departure from the methodology used in reviews of brass sheet and strip from other countries. In fact, although there are many similarities in the methodologies used in the various brass sheet and strip cases, they are not identical. Because the facts of each case are distinct from those of other cases, different hierarchies are applied to the criteria to define home market sales of the most similar merchandise.

In this review, as in preceding reviews under this order, the Department used five criteria to define models in order to compare sales: Form, coating, gauge, width, and alloy. For those U.S. sales for which we did not find sales of identical home market merchandise, we determined that the most similar home market merchandise for comparison purposes was merchandise which was identical in form, coating, gauge, and width, and similar in alloy content. Therefore, we used specific programming instructions to search for contemporaneous home market sales of merchandise which was identical except for alloy. Thus, the only criterion for which we considered differences was alloy, no matter what the order of the criteria as listed in the program. Consequently, we do not agree with the petitioner's suggestion that we change the ordering of the criteria in a search for similar merchandise.

Concerning the question of whether alloy is more important to customers than gauge and width specification, as the petitioners allege, we note that Wieland states in its February 23, 1995 Rebuttal Brief (p. 3) that ''generally customers must have very precise gauges and widths to serve their particular purpose and to use with their particular equipment, and no gauge or width substitutes would be acceptable''. Notwithstanding the petitioners' allegation, there is nothing in the record of this review to confirm or support the petitioners' suggestion that customers have less flexibility in alloy than in gauge and width specifications, which typically have narrow tolerances reflecting the customers' machining or assembly requirements. Thus, the petitioners' assertion that alloy is more important than gauge and width to the respondent's customers is without foundation in the record of this review.

Therefore, we have determined for these final results to use the model-matching methodology used for the preliminary results.

Differences in Average Order Size

Comment 5: Defending its claim for adjustments in price to reflect the different average order sizes of its U.S. sales, Wieland contests our preliminary finding that it has not demonstrated a relationship between order size and price. In support of the claimed adjustment, Wieland cites the price lists in its questionnaire responses, the Department's verification report in the 1991–1992 administrative review, section 773(a)(4)(A) of the Act, and the regulations (19 CFR 353.55).

In rebuttal, the petitioners point to the Department's disallowance in the first review, as upheld by the CIT, concerning the same cost adjustment claim for different order sizes. The petitioners also note Wieland's failure to show that it met the regulatory requirement for such an adjustment, *i.e.*, that Wieland must show that it ''granted quantity discounts of at least the same magnitude on 20 percent or more of sales of such or similar merchandise * * *'' (19 CFR 353.55(b)(1)).

Department's Position: We disagree with the respondent. The regulations do not allow for adjustments to price based merely on claimed differences in per-pound costs according to order size. The adjustments allowed are only for differences in price or discounts for different quantities produced. The regulations (19 CFR 353.55(b)(2)) provide for adjustments if ''the producer demonstrates * * * that the discounts reflect savings specifically attributable to the production of the different quantities.'' In its questionnaire response Wieland complied in part, by showing the savings, in the form of differences in per-kilogram costs for processing different order quantities. But Wieland did not place on the record any evidence of quantity discounts actually given, or information showing

that prices were affected by different production quantities. Indeed, Wieland's questionnaire response states unequivocally: ''Wieland does not provide price-based quantity discounts''.

The price list Wieland cites in this regard is not an adequate basis for this claim since it is a matter of record that the respondent's prices are negotiated *ad-hoc* and do not necessarily follow the price list. The verification report for a prior review, in which we noted variations in prices for varying quantities in one particular contract, is not dispositive; our inspection of a contract in a verification does not signal our acceptance of a claimed adjustment to price. Wieland has the burden, in each review, of showing how its actual prices varied according to quantity, as required by 19 CFR 353.55.

Value-added Tax

Comment 6: While conceding that the practice is consistent with current Department policy on value-added tax (VAT), Wieland contests the Department's application of a 14-percent VAT adjustment to both U.S. and home market sales in this review, and requests that the Department instead add the actual home market VAT amount to U.S. price. Wieland alleges that the use of the VAT rate on sales in both markets introduces a multiplier effect. Wieland urges the Department to instead adopt its alternative solution, at least until this issue can be resolved more definitively by the U.S. Court of Appeals for the Federal Circuit (CAFC), once an appeal is heard in the case of *Federal Mogul Corporation* v. *United States,* 834 F.Supp 1391 (Fed. Cir. 1993).

Department's Position: We disagree with Wieland. We adjusted U.S. Price (USP) and FMV for VAT in accordance with our practice, pursuant to the decision of the CIT in *Federal-Mogul Corporation and the Torrington Company* v. *United States,* 813 F. Supp. 856 (October 7, 1993) (*Federal-Mogul*) and as outlined in *Silicomanganese From Venezuela; Preliminary Determination of Sales at Less than Fair Value,* 59 FR 31204, June 17, 1994, where we address the multiplier effect issue in detail.

Comment 7: Citing 19 U.S.C. 1677a(d)(1)(C), the petitioners state that for U.S. sales not found to be sold at less than fair value, the Department must cap the absolute tax amount added to U.S. price, limiting it to the absolute amount of taxes in the home market. The petitioners argue that the absolute net U.S. price that becomes the denominator in our calculation of dumping duties is otherwise overstated, and that *ad valorem* margins are consequently reduced improperly.

The respondent, in rebuttal, argues that the petitioners cannot have it both ways, and that the Department cannot selectively apply the tax rate to sales which may have dumping margins and apply the absolute tax amount only to those sales which do not have margins.

Department Position: We disagree with the petitioners. The Department's methodology consists of applying the home market tax rate to the U.S. price at the same point in the chain of distribution at which the home market tax base is determined and then reducing the tax in each market by that portion of the tax attributable to expenses which are deducted from each price. For example, because we deduct ocean freight from U.S. price, ocean freight is also eliminated from the U.S. tax base. This is consistent with the decision of the CIT in *Federal-Mogul.* The effect of these adjustments is the same as initially calculating the tax in each market on the basis of adjusted prices.

The ''cap'' was devised at a time when the Department was not effectively calculating the tax in each market on the basis of adjusted prices. It was intended to keep differences in expenses which were eliminated through adjustments to the price in each market from continuing to affect the dumping margin by remaining in the basis upon which the tax in each market was determined. The Department's current practice of effectively using adjusted prices in each market as the tax base automatically achieves this purpose. The imputed U.S. tax will exceed the tax on home market comparison sales only where the adjusted U.S. price is higher than the adjusted home market price, *i.e.*, where there is no dumping margin. A tax cap is irrelevant for such sales, because no duties are assessed upon them and they do not contribute to the weighted-average margin. Consequently, the absolute margins obtained under the Department's current approach are identical to those which would have been obtained after imposing the tax cap.

Although applying a tax cap may affect the relative weighted-average margins, and hence deposit rates, we decline to reapply the tax cap solely to achieve this purpose. The Department includes the U.S. prices that exceed foreign market prices in the denominator of the deposit rate equation. It would be inconsistent to include that portion of the U.S. price that exceeds the home market price in that denominator, but to remove the tax on this amount. Just as we treat the tax on ocean freight consistently with ocean freight itself, where we include the full adjusted U.S. price in the denominator of the deposit rate equation, we must also leave the tax on that full U.S. price in the denominator.

Interest Rates Used in Credit Expenses

Comment 8: The petitioners claim that the Department should correct for Wieland's use of Wieland-America's short-term borrowing rate to calculate direct expenses for U.S. sales, since during the period of review U.S. customers were billed by Wieland-Werke in Germany. The petitioners argue that the U.S. imputed credit expenses should have been calculated on the basis of Wieland-Werke' short-term interest rates, rather than on the basis of Wieland-America's short-term interest rate.

The respondent argues in rebuttal that the Department correctly measured the cost of financing sales made in dollars by applying a dollar interest rate, citing Department policy in *Final Determination of Sales at Less than Fair Value: Fresh Cut Roses from Colombia,* 60 FR 6980, 6998 (1995) (Comment 21) (*Roses*). Wieland also notes that in *Final Determination of Sales at Less than Fair Value: Class 150 Stainless Steel Threaded Pipe Fittings from Taiwan* (59 FR 38432 (July 28, 1994) (*Class 150 Stainless Steel Pipe*), the Department stated that it ''is required to use the lowest rate at which the respondent has borrowed or to which the respondent has access.''

Department's Position: We disagree with the petitioners and concur with the respondent that it is reasonable to use local, dollar-denominated borrowing rates in this case. The respondent is correct in arguing that the interest rate used for credit expenses should match the currency in which the sales are denominated, as stated in *Roses.* On the question of whether the parent's or the U.S. subsidiary's dollar-denominated borrowing rate should be applied, where a company had access, directly or through its U.S. affiliate, to two different dollar-denominated rates, the lower of the two rates is presumed to have been used. See, for example, *Class 150 Stainless Steel Pipe,* where the Department calculated imputed credit for purchase price sales using the lower of two U.S. interest rates available to the respondent. In this case we are aware of only the U.S. subsidiary having U.S. borrowings during this POR. See also *Notice of Final Determinations of Sales at Less than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products,*

Certain Corrosion-Resistant Carbon Steel Flat Products, and Certain Cut-to-Length Carbon Steel Plate from France, 58 FR 37125 (1993)(Comment 30); the Department does not concern itself with determining which of the corporate entities related to the respondent actually incurs the cost of financing.

Sales to Related Parties

Comment 9: The petitioners state that the Department failed to exclude sales to related parties from home market sales, or test such sales for arm's-length pricing. In rebuttal, the respondent states that all sales between related parties are at arm's length, but that, in any case, excluding related-party sales will not significantly affect sales matching.

Department's Position: We agree with the petitioners and have included an arm's-length test in our analysis. We compared prices net of difference-in-merchandise adjustments, movement expenses, early payment discounts, commissions and after-sale rebates. The results of that test indicate that a substantial number of sales to affiliates were at lower prices than those to unrelated parties. In accordance with 19 CFR 353.45(a), we have therefore excluded those sales to related parties that were not at arm's length, and have used home market sales by Wieland to unrelated customers, and home market sales to related parties that were at arm's length, as the basis for FMV.

Clerical and Programming Errors

Comment 10: The respondent points out that adjustments for different alloys were not converted to pounds.

Department's Position: We agree with the respondent and have converted the adjustments for different alloys to pounds.

Comment 11: The petitioners state, and Wieland agrees, that for U.S. sales, the Department neglected to adjust the difference-in-merchandise data for physical characteristics and for different alloys by the VAT rate.

Department Position: We agree with the petitioners and have adjusted these data by the VAT rate.

Final Results of Review

As a result of our analysis of the comments received, we determine that the following margin exists for Wieland:

Manufacturer/exporter	Period	Percent margin
Wieland-Werke AG	3/1/93–2/28/94	[1] 0.495

[1] We have not rounded this result to two places, as is our usual practice, since doing so would indicate a margin above *de minimis*, where the actual margin is *de minimis*.

Individual differences between the USP and FMV may vary from the above percentage. The Department shall instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Furthermore, the following deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided for by section 751(a)(1) of the Act.

(1) Because the rate for Wieland is *de minimis*, the Department shall not require cash deposits on shipments from Wieland;

(2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 8.87 percent, the ''all others'' rate established in the LTFV investigation.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested.

Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction. This administrative review and this notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: July 11, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–18262 Filed 7–24–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–549–812]

Amended Final Antidumping Duty Determination and Order; Furfuryl Alcohol From Thailand

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice.

EFFECTIVE DATE: July 25, 1995.

FOR FURTHER INFORMATION CONTACT: John Brinkmann or Greg Thompson, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–5288 or (202) 482–3003, respectively.

Amended Final Determination

We presented counsel for the respondent, Indo-Rama Chemicals Ltd. (Thailand) (IRCT), and counsel for the petitioner, QO Chemicals, with the calculations and disclosure materials concerning the final determination on May 4, and 8, 1995, respectively.

The petitioner filed a timely submission alleging a ministerial error in the Department of Commerce's (Department) final determination calculations. On May 12, 1995, the petitioner alleged that the Department incorrectly calculated the number of credit days in the home market by taking the difference from the sale date to the payment date. (For specific details of these allegations and our analysis thereof, *see* Memorandum from the Easton Team to Barbara R. Stafford dated May 25, 1995).

We have reviewed the petitioner's allegation and agree that we erred in calculating the number of days for the home-market credit expense. In accordance with 19 CFR 353.28, we have corrected the calculations for the final determination. The final dumping margin for IRCT and ''All Others'' has been amended from 5.49 to 7.82 percent.